

2-6-06

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Express Mailing Label No.: EV 774 500 731 US

PATENT APPLICATION  
Docket No. 15942.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Edwin R. Scott et al.	)
		) Art Unit
Serial No.:	10/719,407	) 3743
		)
Filing Date:	November 21, 2003	)
		)
Confirmation No.:	3344	)
		)
For:	COMPRESSION GARMENTS AND RELATING	)
	METHODS	)
		)
Examiner:	Shumaya B. Ali	)

PETITION TO EXCUSE ERROR IN SMALL ENTITY STATUS AND PAYMENT OF  
DEFICIENCY OWED PURSUANT TO 37 CFR § 1.28

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The above-identified patent application was filed in the United States Patent and Trademark Office on November 21, 2003 with a payment under small entity status. Applicant respectfully submits that the small entity status was established in good faith and that the fees as a small entity were paid in good faith. Applicant subsequently determined, however, that it may not have been entitlement to claim small entity status. Accordingly, applicant hereby petitions that any error in claiming small entity status with regard to payment of the filing fee and subsequent fees be excused pursuant to 37 CFR § 1.28(c).

02/07/2006 SLUANG1 00000013 10719407  
01 FC:1001 790.00 OP  
02 FC:1201 600.00 OP  
03 FC:1202 1000.00 OP  
04 FC:1251 120.00 OP

Set forth below is an itemization of the deficiency payment.

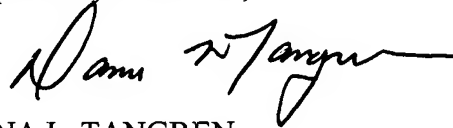
Type of Fee Paid	Current Fee for Non-Small Entity	Small Entity Fee Actually Paid	Difference
Filing Fee	2,550	685	1,865
Extension of Time for Amendment "A"	120	60	60
New Claim fee	50	25	25
Deficiency Owed			\$1,950

In view of the foregoing, the total deficiency payment owed is \$1,950. Enclosed herewith please find Form PTO-2038 submitting the required payment of \$1,950. The Patent Office is hereby authorized to deduct any further required payment or to apply any overpayment to deposit account no. 23-3178. A duplicate copy of this paper is enclosed.

Finally, it is also applicant's understanding that pursuant to 37 CFR § 1.28(c) that this submission will be treated as a notification of loss of entitlement to small entity status.

Dated this 3<sup>rd</sup> day of February 2006.

Respectfully submitted,



DANA L. TANGREN  
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DLT:dfw

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Adjustment date: 02/07/2006 SLUANG1  
11/28/2003 GWORDOF1 00000029 10719407  
01 FC:2001 -385.00 OP  
02 FC:2201 -129.00 OP  
03 FC:2202 -171.00 OP

Adjustment date: 02/07/2006 SLUANG1  
05/09/2005 EFLORES 00000022 10719407  
01 FC:2251 -60.00 OP

Adjustment date: 02/07/2006 SLUANG1  
05/09/2005 EFLORES 00000022 10719407  
02 FC:2202 -25.00 OP



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PATENT APPLICATION

Docket No. 15942.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Edwin R. Scott et al.

Serial No.: 10/719,407

Filing Date: November 21, 2003

Confirmation No.: 3344

For: COMPRESSION GARMENTS AND RELATING  
METHODS

Examiner: Shumaya B. Ali

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) Art Unit  
) 3743  
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CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that following documents are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Box: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 3<sup>rd</sup> day of February 2006.

- Transmittal of Issue Fee (2 pages) (in duplicate)
- PTO Form PTOL-85 transmitting payment of Issue Fee and Publication Fee
- Form PTO-2038 submitting Credit Card Payment in the amount of \$1,745
- Amendment After Allowance (1 page)
- Comments on Statement of Reasons for Allowance (2 pages)
- Petition to Excuse Error in Small Entity Status (2 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$1,950
- Postcard

Respectfully submitted,

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VERNON R. RICE §  
OF COUNSEL

Express Mail  
OIPF LAPU  
FEB 03 2006  
PATENT & TRADEMARK OFFICE

\* Admitted only in California  
§ Admitted only in Virginia

— Pursuant to the request for submission of formal drawings, enclosed are the following:

— A set of \_\_\_\_\_ ( ) sheets of formal drawings to replace the corresponding drawings originally filed with the subject application.

— A duplicate set of the \_\_\_\_\_ ( ) sheets of formal drawings with the changes therein highlighted in red.

X Form PTO-2038 submitting Credit Card Payment in the amount of \$1,745.00 is enclosed to cover:

X The \$1,400 government issue fee pursuant to 37 C.F.R. § 1.18.

X The \$300.00 government publication fee pursuant to 37 C.F.R. § 1.18.(d).

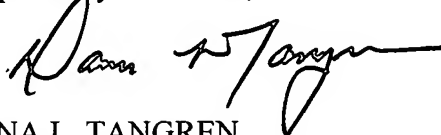
X The \$45.00 fee for fifteen (15) copies of the patent when issued.

X The Commission is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 23-3178.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 3<sup>rd</sup> day of February 2006.

Respectfully submitted,



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